

OFFICE OF THE MONITOR

NUNEZ, ET AL. V. CITY OF NEW YORK, ET AL.

Steve J. Martin
Monitor

Anna E. Friedberg
Deputy Monitor

178 Columbus Avenue, #230842
New York, NY 10023-9998
+1 646 895 6567 | afriedberg@tillidgroup.com

September 28, 2021

VIA ECF

The Honorable Laura T. Swain
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10006

Re: Nunez, et al. v. City of New York, et al., 11-cv-5845 (LTS) (JCF)

Dear Chief Judge Swain,

We are pleased to report that the *Nunez* Parties have reached a joint agreement on a proposed Second Remedial Order. The proposed Second Remedial Order is attached to this letter. The Monitoring Team also submits a declaration to the Court, pursuant to the Court's September 25, 2021 Order (dkt. entry 392) which explains the approach taken in tailoring the proposal to properly address the implicated rights and interests.

The Parties have worked diligently and productively with the Monitoring Team to reach agreement. The Monitoring Team believes the requirements in the proposed Second Remedial Order are narrowly tailored, and no more intrusive than is necessary to protect inmates' constitutional rights. The provisions are necessary to remedy the deficiencies identified. Moreover, the remedial measures included in the proposed Second Remedial Order should not have an adverse impact on public safety or the operation of the criminal justice system.

The Monitoring Team and the Parties jointly request the Court approve the proposed

Second Remedial Order attached to this letter. The Monitoring Team and the Parties appreciate the Court's thoughtful and considerate attention to these matters.

Sincerely,

s/ Steve J. Martin

Steve J. Martin, *Monitor*

Anna E. Friedberg, *Deputy Monitor*

Christina Bucci Vanderveer, *Associate Deputy Monitor*